

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

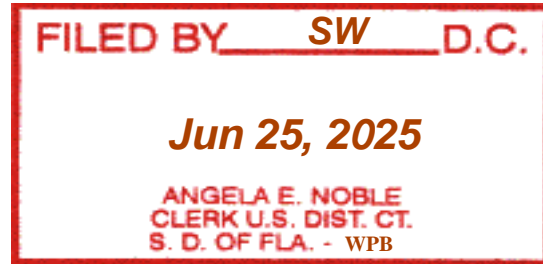
Case No. 25-8344-WM

UNITED STATES OF AMERICA

v.

FRANCISCO MUNOZ-HERAS,
a/k/a Gabriel Leiva-Palasco,

Defendant. /




CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? ☐ Yes ☒ No
2. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? ☐ Yes ☒ No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Marty Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? ☐ Yes ☒ No
4. 4. Did this matter involve the participation of or consultation with Magistrate Judge Ellen F. D'Angelo during her tenure at the U.S. Attorney's Office, which concluded on October 7, 2024? ☐ Yes ☒ No

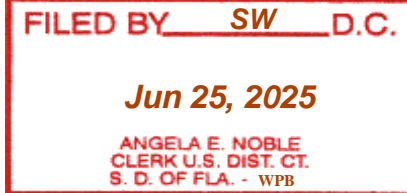
Respectfully submitted,

HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY

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UNITED STATES DISTRICT COURT

for the
Southern District of Florida



United States of America
v.

FRANCISCO MUNOZ-HERAS,
a/k/a Gabriel Leiva-Palasco,

Case No. 25-8344-WM

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 17, 2025 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:

Code Section
8 U.S.C. § 1326(a)

Offense Description
Illegal re-entry after removal.

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

Andy Korzen, ICE Deportation Officer

Printed name and title

Sworn to and attested to me by applicant by
telephone (Facetime) per the requirements of
Fed. R. Crim. P.4 (d) and 4.1.

Date: June 25, 2025

Judge's signature

City and state: West Palm Beach, FL

William Matthewman, U.S. Magistrate

Printed name and title

Judge

**AFFIDAVIT
OF
ANDY KORZEN
UNITED STATES DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT**

I, Andy Korzen, being duly sworn, depose and state as follows:

1. I am a Deportation Officer with the Immigration and Customs Enforcement (ICE) and have been so employed for over twenty-one years. I am currently assigned to the ICE Enforcement and Removal Operations, West Palm Beach, Florida. My duties and responsibilities include enforcing criminal and administrative immigration laws of the United States. I have also conducted and participated in investigations of this nature.

2. This affidavit is based upon my own knowledge as well as information provided to me by other law enforcement officers. This affidavit does not set forth every fact known to me regarding the investigation but only those facts necessary to establish probable cause to believe that Francisco MUNOZ-HERAS, also known as Gabriel LEIVA-PALASCO committed the offense of illegal re-entry after removal, in violation of Title 8, United States Code, Section 1326(a).

3. On or about June 17, 2025, Francisco MUNOZ-HERAS was arrested in Palm Beach County, Florida for felony offense of domestic battery by strangulation. He was booked and detained at the Palm Beach County Jail.

4. A review of the immigration records shows that Francisco MUNOZ-HERAS is a native and citizen of Mexico. Records further show that Francisco MUNOZ-HERAS was voluntarily removed to Mexico on two separate occasions, on or about following dates: April 7, 1998, and September 22, 2010.

5. Thereafter, Francisco MUNOZ-HERAS re-entered the United States illegally, and on or about October 20, 2010, was ordered removed. The Order of Removal was executed on or about October 21, 2010, whereby Francisco MUNOZ-HERAS was removed from the United States and returned to Mexico.

6. Francisco MUNOZ-HERAS's fingerprints taken in connection with his June 17, 2025, arrest in Palm Beach County were scanned into the IAFIS system. Results confirmed that scanned fingerprints belong to the individual who was previously removed from the United States, that is Francisco MUNOZ-HERAS.

7. A record check was performed in the Computer Linked Application Informational Management System to determine if Francisco MUNOZ-HERAS filed an application for permission to reapply for admission into the United States after deportation or removal. After a search was performed in that database system, no record was found to exist indicating that Francisco MUNOZ-HERAS obtained consent from the Attorney General of the United States or from the Secretary of Homeland Security, for re-admission into the United States as required by law.

8. Based on the foregoing, I submit that probable cause exists to believe that, on or about June 17, 2025, Francisco MUNOZ-HERAS, an alien who has previously been deported and removed from the United States, was found in the United States without having received the express consent from the Attorney General or the Secretary of the Department of Homeland Security for re-admission into the United States, in violation of Title 8, United States Code, Section 1326(a).



Andy Korzen
Deportation Officer
Immigration and Customs Enforcement

Sworn and Attested to me by Applicant by Telephone (Facetime) pursuant to Fed. R. Crim. P. 4(d) and 4.1 this 25th day of June 2025.



WILLIAM MATTHEWMAN
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PENALTY SHEET

Defendant's Name: FRANCISCO MUNOZ-HERAS, a/k/a Gabriel Leiva-Palasco

Case No: _____

Count #1

Illegal Re-entry after Removal

Title 8, United States Code, Section 1326(a)

*** Max. Term of Imprisonment:** 2 Years

*** Mandatory Min. Term of Imprisonment (if applicable):**

*** Max. Supervised Release:** 1 Year

*** Max. Fine:** \$250,000

*** Special Assessment:** \$100

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**